

Please type a plus sign (+) inside this box → ☐

11-23-01

PTO/SB/05 (11-00)

Approved for use through 10/31/02 OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

Attorney Docket No. 300622006500

First Inventor Gary Ashley

Title MOTILIDE COMPOUNDS

Express Mail Label No. EL719390165US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Express Mail Label No.: EL719390165US

Date of Deposit: November 21, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514.

*Marian Christopher*  
Marian Christopher

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 81]  
(preferred arrangement set forth below)  
- Descriptive title of the Invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table, or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure
4. ☐ Drawing(s) (35 USC 113) [Total Sheets ☐
5. ☐ Oath or Declaration [Total Pages ☐

a. ☐ Newly executed (original or copy)

b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)

6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (where there is an assignee) ☐ Power of Attorney
11. ☐ English Translation document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
Should be specifically itemized
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i) Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other

**18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:**

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No:

Prior application information

Examiner \* s

Group / Art Unit \*

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

☒ Customer Number or Bar Code Label

or ☐ Correspondence address below



25225

PATENT TRADEMARK OFFICE

(Insert Customer No. or Attach bar code label here)

|         |                                     |           |                |          |                |
|---------|-------------------------------------|-----------|----------------|----------|----------------|
| Name    | Carolyn A. Favorto                  |           |                |          |                |
| Address | Mornson & Foerster LLP              |           |                |          |                |
|         | 3811 Valley Centre Drive, Suite 500 |           |                |          |                |
| City    | San Diego                           | State     | CA             | Zip Code | 92130          |
| Country | USA                                 | Telephone | (858) 720-5195 | Fax      | (858) 720-5125 |

|                   |                    |                                   |                   |
|-------------------|--------------------|-----------------------------------|-------------------|
| Name (Print/Type) | Carolyn A. Favorto | Registration No. (Attorney/Agent) | 39,183            |
| Signature         | <i>[Signature]</i> | Date                              | November 21, 2001 |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**FEE TRANSMITTAL  
FOR FY 2001**

Patent fees are subject to annual revision

**Complete if Known**

|                      |                |
|----------------------|----------------|
| Application Number   | To be Assigned |
| Filing Date          | Herewith       |
| First Named Inventor | Gary ASHLEY    |
| Examiner Name        | To be Assigned |
| Group Art Unit       | To be Assigned |

TOTAL AMOUNT OF PAYMENT

(\$412.00)

Attorney Docket No

300622006500

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to.

Deposit  
Account  
Number

03-1952

Deposit  
Account  
Name

Morrison &amp; Foerster LLP

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description        | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 101                  | 710                   | 201                  | 355                   | Utility filing fee     | \$370    |
| 106                  | 320                   | 206                  | 160                   | Design filing fee      |          |
| 107                  | 490                   | 207                  | 245                   | Plant filing fee       |          |
| 108                  | 710                   | 208                  | 355                   | Reissue filing fee     |          |
| 114                  | 150                   | 214                  | 75                    | Provisional filing fee |          |

SUBTOTAL (1) (\$370.00)

**2. EXTRA CLAIM FEES**

| Total Claims          | 19-20 = | Extra<br>Claims | Fee from<br>below | Fee Paid |
|-----------------------|---------|-----------------|-------------------|----------|
| Independent<br>Claims | 4-3 =   | 1               | \$42              | \$42     |

Multiple Dependent

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description   |
|----------------------|-----------------------|----------------------|-----------------------|---|
| 103                  | 18                    | 203                  | 9                     | Claims in excess of 20                                    |
| 102                  | 80                    | 202                  | 40                    | Independent claims in excess of 3                         |
| 104                  | 270                   | 204                  | 135                   | Multiple dependent claims, if not paid                    |
| 109                  | 80                    | 209                  | 40                    | *Reissue independent claims over original patent          |
| 110                  | 18                    | 210                  | 9                     | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$42.00)

\*\* or number previously paid, if greater; For reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|--|----------|
| 105                  | 130                   | 205                  | 65                    | Surcharge - late filing fee or oath  |          |
| 127                  | 50                    | 227                  | 25                    | Surcharge - late provisional filing fee or cover sheet                       |          |
| 139                  | 130                   | 139                  | 130                   | Non-English specification  |          |
| 147                  | 2,520                 | 147                  | 2,520                 | For filing a request for ex parte reexamination                              |          |
| 112                  | 920*                  | 112                  | 920*                  | Requesting publication of SIR prior to Examiner action                       |          |
| 113                  | 1,840*                | 113                  | 1,840*                | Requesting publication of SIR after Examiner action                          |          |
| 115                  | 110                   | 215                  | 55                    | Extension for reply within first month                                       |          |
| 116                  | 390                   | 216                  | 195                   | Extension for reply within second month                                      |          |
| 117                  | 890                   | 217                  | 445                   | Extension for reply within third month                                       |          |
| 118                  | 1,390                 | 218                  | 695                   | Extension for reply within fourth month                                      |          |
| 128                  | 1,890                 | 228                  | 945                   | Extension for reply within fifth month                                       |          |
| 119                  | 310                   | 219                  | 155                   | Notice of Appeal   |          |
| 120                  | 310                   | 220                  | 155                   | Filing a brief in support of an appeal                                       |          |
| 121                  | 270                   | 221                  | 135                   | Request for oral hearing   |          |
| 138                  | 1,510                 | 138                  | 1,510                 | Petition to institute a public use proceeding                                |          |
| 140                  | 110                   | 240                  | 55                    | Petition to revive - unavoidable   |          |
| 141                  | 1,240                 | 241                  | 620                   | Petition to revive - unintentional   |          |
| 142                  | 1,240                 | 242                  | 620                   | Utility issue fee (or reissue)   |          |
| 143                  | 440                   | 243                  | 220                   | Design issue fee   |          |
| 144                  | 600                   | 244                  | 300                   | Plant issue fee  |          |
| 122                  | 130                   | 122                  | 130                   | Petitions of the Commissioner  |          |
| 123                  | 50                    | 123                  | 50                    | Petitions related to provisional applications                                |          |
| 126                  | 180                   | 126                  | 180                   | Submission of Information Disclosure Stmt                                    |          |
| 581                  | 40                    | 581                  | 40                    | Recording each patent assignment per properties (times number of properties) |          |
| 146                  | 710                   | 246                  | 355                   | Filing a submission after final rejection (37 CFR § 1.129(a))                |          |
| 149                  | 710                   | 249                  | 355                   | For each additional invention to be examined (37 CFR § 1.129(b))             |          |
| 179                  | 710                   | 279                  | 355                   | Request for Continued Examination (RCE)                                      |          |
| 169                  | 900                   | 169                  | 900                   | Request for expedited examination of a design application                    |          |

Other fee (specify)

\$

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

**SUBMITTED BY**

Name (Print/Type)

Carolyn Favorito

Registration No.  
(Attorney/Agent)

39,183

Complete (if applicable)

Telephone

(858) 720-5195

Signature

Date

November 21, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.